

### **3.4 The Executive**

**3.4.1 Membership:** The Executive consists of the Council's Leader, a Deputy Leader, together with up to eight other Councillors. The Leader is appointed by the Council. The Deputy Leader and up to eight Executive Members are appointed to the Executive by the Leader.

**3.4.2 Areas of Work:** The Role of the Executive is to carry out all of the Council's functions which are not the responsibility of any other part of the Council, whether by law or under this Constitution.

**3.4.3 The Leader:** The Leader of the Council is the chair of the Executive. Unless the law or circumstances direct otherwise, the Leader is elected to the position of Leader by the Council for a period of four years at the annual meeting immediately following the local government elections. The Leader will hold office until:

- (a) they resign from the office; or
- (b) they are suspended from being a councillor (although they may resume office at the end of the period of suspension); or
- (c) they are no longer a councillor; or
- (d) they are removed from office by resolution of the Council.

**3.4.4 Executive Members:** The areas of responsibility of each member of the Executive is determined solely by the Leader who may vary such during their term of office as they considers appropriate. Such members will exercise regular budget monitoring of the resources allocated by the Council for those purposes, monitor performance, strive to deliver the Council's Corporate Objectives, seek to achieve best value in the services for which they are responsible and have regard to the Council's other policies and strategic objectives.

3.4.5 Executive Members shall hold office until:

- (a) they resign from office; or
- (b) they are suspended from being councillors (although they may resume office at the end of the period of suspension); or
- (c) they are no longer councillors; or
- (d) they are removed from the Executive, either individually or collectively by the Leader of the Council.

**3.4.6 Executive Decisions:** The Leader, after consultation with the other members of the Executive and the Managing Director, will table at every meeting of the Executive a list of what they consider are **key decisions** and once this list has been approved such decisions shall not be taken other than by the full Executive. **Each member of the Executive is authorised to make the following decisions** without a meeting of the Executive. If an Executive Member is absent or otherwise unavailable to act the Leader (or in his absence, the Deputy Leader) may deputise.

- (a) Make any decision other than a key decision which is both within their remit and does not contravene Council approved policy and budget
- (b) Two or more Executive Members may jointly agree to make a decision which is within their collective remits
- (c) Before taking any decision under this delegation, the Executive Member shall, so far as is reasonably practicable, consult any Member whose ward is particularly affected by that decision and shall arrange for a copy of any report which they intend to take into account in coming to a decision to be made available to the Chair of the Overview/Scrutiny Committee and to the local Ward Member(s) if it relates to a local issue
- (d) As soon as is reasonably practicable, complete and sign a form provided by the Democratic Services Manager summarising any such decision they have made together with reference to the relevant report or other information which was taken into account by them.

**3.4.7 Key Decisions:** Unless otherwise provided by law, a key decision means an Executive decision which is likely:

- (a) To result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates. For this purpose significant expenditure or savings shall mean in the case of revenue any contract or proposal with an annual payment of more than £100,000; and in the case of capital, any project with a value in excess of £250,000; or
- (b) To be significant in terms of its effects on communities living or working in an area comprising two or more wards in the opinion of the relevant Director or the Managing Director. A decision taker may only make a key decision in accordance with the requirements of the Executive Procedure Rules set out in this Constitution.

**3.4.8 Notification of Key Decisions (whether individual or full Executive decisions)**

- (a) Once made, the decision will be notified to all Members of the Council within 2 clear working days.
- (b) The notice will bear the date on which it is published and will specify that the decision(s) which it records will come into force 5 working days after that date unless it is 'called in'. (Please see Section 8(b) for the Call in Procedure).